

## **Article I. Grant of Powers to the Town**

### **§ 1.01. Incorporation.**

The inhabitants of the Town of Kittery, within the limits as now established or as hereafter established in the manner provided by law, constitute a body politic and corporate by the name of the Town of Kittery, which has, exercises and enjoys all the rights, immunities, powers, privileges and franchises and is subject to all the duties, liabilities and obligations provided for herein, or otherwise, pertaining to or incumbent upon said town as a municipal corporation or to the inhabitants or municipal authorities thereof; and may enact reasonable bylaws, regulations and ordinances for municipal purposes, not inconsistent with the Constitution and laws of the State of Maine, and impose penalties for the breach thereof, to be recovered for such uses as said bylaws, regulations or ordinances provide. (Amended by vote of the people 10-4-94; Amended by vote of the people 11-7-17)

### **§ 1.02. Construction.**

The powers of the town under this charter are to be construed liberally in favor of the town, and the specific mention of particular powers in the charter may not be construed as limiting in any way the general power stated in this article. (Amended by vote of the people 11-7-17)

### **§ 1.03. Intergovernmental relations.**

The town may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with any one or more municipalities, states or civil divisions or agencies thereof, or the United States or any agency thereof.

### **§ 1.04. Casinos prohibited.**

No person, firm, corporation, association, organization, or any other entity may operate a commercial facility which conducts, holds or operates a game of chance, game of skill, electronic video machine, slot machine or any other type of gambling activity. No business license or land use regulation may permit any of the above stated prohibitions within the Town.

No person, firm, corporation, association, organization, or any other entity may hold, conduct or operate high-stakes beano or bingo or a commercial beano-bingo hall within the Town.

Nothing herein prohibits or limits any nonprofit, low-limit game of chance pursuant to any state license issued to a bona fide nonprofit charitable, educational, political, civic, recreational, fraternal, patriotic, religious, or fire department, pursuant to State law. (Added by vote of the people 6-11-02; Amended by vote of the people 11-7-17))

### **§ 1.05. Qualifications for municipal office.**

Except as otherwise required by statute or charter, the provision of Title 30-A, Section 2526, sub-section 3 requiring state residency as a qualification for municipal office does not apply. (Added by vote of the people 11-4-14)